6021262/2022/VIG-II-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegation of not giving proper information in CC.No.942/2022 filed by Sri P. Gopinath, R/o Prakasam in WP.No.1717/2022 which leads to embracement to the Government before the Hon'ble High Court of A.P - Legal complications – Disciplinary proceedings under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 against Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.485. Dated:16-06-2022.

Read the following:-

1. Orders of High Court of A.P, dated 25.01.2022 in W.P.No.1717/2022 filed by Sri Putchanuthala Gopinath, Prakasam District.
2. Contempt Case No.942/2022 in which notice in Form-I issued to the Respondents.
3. Review Petition filed in W.P.No.1717/2022.

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ORDER:

It is proposed to hold an inquiry against Sri P.V. Subba Rao, DAO Grade-II O/o EE, PRI, Markapur, Prakasam District in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District is invited to Rule-24 of the APCS (Conduct)Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any

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matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.V. Subba Rao, DAO Grade-II O/o EE, PRI, Markapur, Prakasam District
(through the Director, Works & Accounts, Ibramhimpatnam, Vijayawada).
The Director, Works & Accounts, Ibramhimpatnam, Vijayawada.
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
The Finance (DAOs)Department, AP.Secretariat, Velagapudi.
SF/SC

21/06/22 2 Copies Admn.

DISPATCHED Signature DL 17/6/22 & RD (IOC) DEPT.

// FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District

-:0:-

CHARGE:

That Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur in WP.No.1717/2022 on the orders of High Court in CC No.942 /2022, counter filed by Principal Secretary to Government, PR & RD, and review petition filed by Deputy Executive Engineer, PRI, Markapur making plea that, since the quality control inspection conducted on 03.06.2020 have identified the recovery of Rs.13,86,603/-. Hence the payments were withheld. The counter and review petition were filed on the basis of information given by the Executive Engineer, PRI, Markapur and Divisional Accounts Officer, O/o EE, PRI, Markapur which was signed by Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur. At the time of hearing of the case, in the Hon'ble High Court of A.P, an additional fact brought to the notice that on the same works another Quality Control Inspection was done on 13.07.2019 and the same was also informed to Deputy Executive Engineer/Executive Engineer, PRI, Markapur and Superintending Engineer (PR) Ongole. Since this information was not brought to the notice of Principal Secretary to Government, PR & RD, this same could not be included in the counter affidavit filed in CC No.942/2022 before the Hon'ble High Court of A.P. Further, the review petition filed by the Deputy Executive Engineer, PRI, Markapur in WP.No.1717/2022 also does not brought to the notice of the Hon'ble High Court of A.P. This has caused huge embarrassment to the Government and invited adverse comments from the Hon'ble High Court of A.P.

2. Thus, Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER//

SECTION OFFICER

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur, Prakasam District.

Basis:

Whereas in WP.No.1717/2022 on the orders of High Court in CC No.942/2022, counter filed by Principal Secretary to Government, PR & RD, and review petition filed by Deputy Executive Engineer, PRI, Markapur making plea that, since the quality control inspection conducted on 03.06.2020 have identified the recovery of Rs.13,86,603/-. Hence the payments were withheld. The counter and review petition were filed on the basis of information given by the Executive Engineer, PRI, Markapur and DAO O/o EE, PRI, Markapur which was signed by Sri P.V. Subba Rao, Divisional Accounts Officer Grade-II, O/o EE, PRI, Markapur. In Hon'ble High Court of A.P. today in an additional fact brought to the notice that on the same works another Quality Control Inspection was done on 13.07.2019 and the same was also informed to Deputy Executive Engineer/Executive Engineer, PRI, Markapur and Superintending Engineer (PR) Ongole. Since this information was not brought to the notice of Principal Secretary to Government, PR & RD, this same could not be included in the counter affidavit filed before the Hon'ble High Court of A.P. Further, the review petition filed by the Deputy Executive Engineer, PRI, Markapur also does not brought to the notice of the Hon'ble High Court of AP. This has caused huge embarrassment to the Government and invited adverse comments from the Hon'ble High Court of A.P.

2. Thus the Government Servant Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur failed to obey the orders of higher authorities and gross negligence on his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur ARE PROPOSED TO BE SUSTAINED:

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1. Orders of High Court of A.P, dated 25.01.2022 in W.P.No.1717 /2022 filed by Sri Putchanuthala Gopinath Prakasam District.

2. Contempt Case No.942/2022 in which notice in Form-I issued to the Respondents.

3. Review Petition filed in W.P.No.1717/2022 filed by DEE, PRI, Markapur, Prakasam District.

4. Letter copies of DEE (PR) Vigilance & Quality Control, Sub-Division, Markapur (Inspection Report) Lr.Rc.No.AEE/IR/Tarlupadu/2019-20 dated:16.07.2019.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER//

SECTION OFFICER

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ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST Sri P.V. Subba Rao, Divisional Accounts Officer, Grade-II, O/o EE, PRI, Markapur IS PROPOSED TO BE SUSTAINED :

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- NIL –

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER//

SECTION OFFICER